

NOV 05 2003

U.S. TRADEMARK OFFICE 9635

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Renato CARETTA)
Application Serial No. 09/937,601) Group Art Unit: 1733
Filed: September 28, 2001) Examiner: Johnstone, A.
For: A CARCASS STRUCTURE FOR)
TYRES FOR VEHICLE)
WHEELS, AND A TYRE)
COMPRISING SAID CARCASS)
STRUCTURE)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

Applicant submits this Response to Restriction Requirement, accompanied by a Supplemental Preliminary Amendment, in reply to the Office Action mailed October 6, 2003, the period for response to which runs through November 6, 2003. Applicant also submits a Second Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b).

In the Office Action, the Examiner required restriction under 35 U.S.C. §§ 121 and 372 between: Group I, claims 9-11, characterized by the Examiner as drawn to a carcass structure for vehicle wheel tyres according to claim 9 wherein the first and the second series of strip segments are arranged in a mutually-alternated sequence along the circumferential development of the toroidal support; Group II, claims 9 and 12-14, characterized by the Examiner as drawn to a carcass structure for vehicle wheel tyres according to claim 9 wherein the second annular insert and the at least one third annular insert present a lesser radial extension than a radial extension of

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the first annular insert; and Group III, claims 9, 15, and 16, characterized by the Examiner as drawn to a carcass structure for vehicle wheel tyres according to claim 9, further comprising an auxiliary filling body made of elastomeric material disposed in an axially-exterior position against the at least one carcass ply and extending radially away from the at least one third annular insert.

The Supplemental Preliminary Amendment cancels, without prejudice or disclaimer, claims 1 and 9-16, and adds new claims 17-25 (all reciting a tyre for a vehicle wheel). New claims 17-20 correspond to Group I; new claims 17, 18, and 21-23 correspond to Group II; and new claims 17, 18, 24, and 25 correspond to Group III. Applicant provisionally elects, with traverse, to prosecute Group I, new claims 17-20.

Regarding traverse of the restriction requirement, Applicant submits that the search and examination of this entire application can be made without serious burden, particularly since claim 17 is a member of each of the three Groups. As such, MPEP § 803, ¶ 2, requires that the Examiner examine this entire application on the merits.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.



By: _____

Lawrence F. Galvin
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Dated: November 5, 2003

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